

IN THE FAMILY COURT OF THE STATE OF DELAWARE

ORDER AMENDING RULE 3

OF THE FAMILY COURT RULES OF CIVIL PROCEDURE

This 30th day of June, 2008, **IT IS ORDERED THAT:**


1. Rule 3 of the Family Court Rules of Civil Procedure shall be amended by striking subsection (c) and inserting the following:

(c) *Deposit of Fees and Costs.* Except as provided in Civil Rule 112 the Clerk shall not accept for filing any petition until all required fees and costs have been paid. Before any proceeding is instituted in the Family Court, the Clerk shall demand and receive a non-refundable filing fee as set forth in a Schedule of Assessed Costs. Where any statute, Rule or order requires publication of any notice, summons or order, a payment of the assessed cost thereof shall be required. The Director of Fiscal Services shall maintain and publish a Schedule of Assessed Costs, which shall apply and be computed by the Clerk of the Court. All fees and costs collected by the Clerk shall be held until final disposition or until such time as a good and proper claim against such fees and costs is presented to the Court by such vendors as those engaged by the Court to publish notices and serve process.

At the time of final disposition and order, fees and costs will be assessed against the petitioner unless the Judge or Commissioner waives all or part of the fees and costs and assesses them wholly or in part against the respondent or in some other manner.


2. This amendment shall take effect 30 days after notice to members of the Bar.

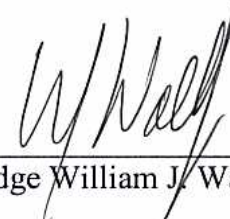
BY THE COURT:



Chandlee Johnson Kuhn
Chief Judge



Judge Jay H. Conner



Judge Kenneth M. Millman



Judge William N. Nicholas

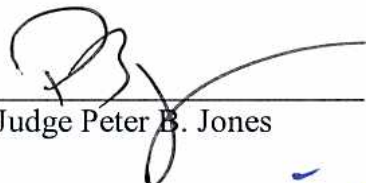

Judge William J. Walls, Jr.


Judge Mark D. Buckworth

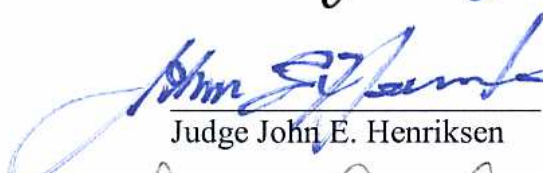

Judge William L. Chapman, Jr.

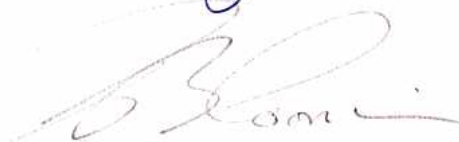

Judge Aida Waserstein

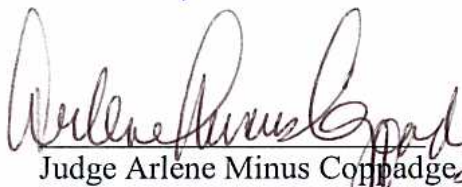

Judge Barbara D. Crowell



Judge Peter B. Jones

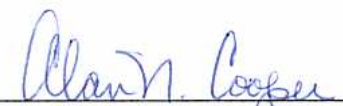

Judge Mardi F. Pyott


Judge John E. Henriksen


Judge Robert B. Coonin


Judge Arlene Minus Coppadge


Judge Michael K. Newell


Judge Alan N. Cooper


Judge Joelle P. Hitch